

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

JAMES DEAN CLOUD (01); and
DONOVAN QUINN CARTER CLOUD (02),

Defendants.

**Case No. 1:19-CR-02032-SMJ-1, 2
CRIMINAL MINUTES**

DATE: DECEMBER 15, 2020**LOCATION: YAKIMA****STATUS and MOTION HEARING**

	Hon. Salvador Mendoza, Jr.	
Nicole Cruz Cora Vargas Courtroom Deputy	01 Law Clerk	Kimberly Allen Court Reporter
Richard Burson Thomas Hanlon Government Counsel	John McEntire for James Cloud Lorinda Youngcourt for James Cloud Jeremy Sporn for James Cloud Richard Smith for Donovan Cloud Mark Larranaga for Donovan Cloud Defense Counsel	

☒ **Open Court**☐ **Chambers**☐ **Teleconference**

Defendants James Dean Cloud and Donovan Quinn Carter Cloud **are present and in custody** of the U.S. Marshal with appointed counsel.

Court requests a discovery update.

Mr. Halon advises the latent print report has been provided to defense counsel and that the DNA analysis report is still at the laboratory, as the metallurgy is still under review. The lab delays are due to COVID-19 and the review should be completed in late December.

Colloquy between Court and counsel regarding other outstanding discovery.

Argument by Mr. McEntire in support of Defendant James Cloud's Motion to Amend Due Process Protection Act Order (ECF 265).

Argument by Mr. Burson in opposition

Rebuttal argument by Mr. McEntire

Rebuttal argument by Mr. Burson

Court: Defendant James Cloud's Motion to Amend Due Process Protection Act Order (ECF 265) is **DENIED**.

[X] ORDER FORTHCOMING

CONVENED: 9:05 A.M. 10:41 A.M.	ADJOURNED: 10:08 A.M. 10:50 A.M.	TIME: 1.12 HR	CALENDARED [X]
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Court: Defendant James Cloud's unopposed Motion to Extend Time for Filing Motion for Bill of Particulars (ECF 280), and Defendant Donovan Cloud's Motion to Join Co-Defendant James Cloud's Motion to Extend Time for Filing Motion for Bill of Particulars (ECF 283) are **GRANTED** – deadline to file motion is extended to January 15, 2021.

Court and counsel discuss Defendant Donovan Cloud's Motion to Continue the Trial and Strike the Defense Motion to Suppress Identification ECF 194 With Leave to Renew (ECF 274), and Defendant James Cloud's Motion to Continue Joining in Co-Defendant's Motion ECF No. 274 (ECF 279).

Court and counsel discuss possible new trial dates.

Defendant James Cloud addresses the Court on his own behalf regarding discovery and extended continuance.

Court takes a recess to address Defendant James Cloud's concerns in an ex parte proceeding; public phone line disconnected

Recess: 10:08 a.m.

Reconvened: 10:41 a.m.

All counsel and defendants are present in courtroom and public phone line reconnected.

Court confirms with defendants that they are in agreement with continuance of the trial date.

Court sets the following dates:

Pretrial Conference: 1/25/2022 at 9:00 a.m. in Yakima

Jury Trial: 2/28/2022 at 9:00 a.m. in Yakima, with a Final Pretrial Conference at 8:30 a.m.

Court informs counsel that no further continuances will be granted, absent extreme circumstances, and that all discovery shall be disclosed as ordered in a timely manner.

Counsel shall file their proposed case management deadlines within one week and defendants shall sign and file their Statement of Reasons in Support of Motion to Continue.